



October 22, 2003

The Honorable Michael K. Powell
Chairman
Federal Communications Commission
445 12th Street, S.W.
Washington, D.C. 20554

Re: Wireline-to-Wireless Local Number Portability
(CC Docket 95-116)

Dear Chairman Powell:

We would like to thank you for your ongoing commitment to ensure that consumers get Wireless Local Number Portability (W-LNP) by the November 24, 2003 deadline. We are writing to urge the Commission to quash efforts by some Local Exchange Carriers (LECs) to needlessly delay wireline-wireless porting in November and to put artificial constraints on consumers' ability to cut the cord and take their wireline numbers to wireless carriers. To that end, the Commission should confirm that wireline carriers must port a requesting customer's number to a wireless carrier if the rate center where the number is rated is within the wireless carrier's service territory. To do otherwise, as suggested by some LECs, would severely limit the opportunity of wireline consumers to realize the competitive benefits of wireline-to-wireless porting – an opportunity that consumers are expecting to have on November 24, 2003.

With portability, the Commission has given consumers an important competitive tool that they can use to leverage better prices and better quality of service from wireless carriers—competition that could extend here and now to wireline carriers. Because there are limited residential offerings from Competitive Local Exchange Carriers (CLECs), "cutting the cord" is an option for more and more consumers who are looking for a competitive alternative to local phone monopolies.

Congress specified that there was only one reason to excuse LECs from porting to LNP-capable carriers (including wireless carriers): technical feasibility. LEC-wireless porting is technically feasible and thus must move forward. Concerns raised by some LECs regarding the technical complexities of robust wireline to wireless porting are red herrings. Verizon's willingness to allow their customers to cut the cord and port numbers in areas where the wireless and wireline carriers both provide local service demonstrates that the portability foot-dragging of some LECs is simply a transparent attempt to avoid competition. See Verizon and Verizon Wireless September 22, 2003 News Release

(“Verizon and Verizon Wireless are facilitating barrier-free non-geographic porting by allowing customers to port their wireline numbers to a wireless service, even if Verizon Wireless does not already have phone numbers located in the same landline rating area (‘rate center’).”)

Finally, November 24th is fast approaching and the scope of the wireline-to-wireless porting obligation is not yet entirely clear. As the Commission recognized in its October 7, 2003 Wireless-to-Wireless Order, delays could “result from uncertainty regarding baseline requirements for porting or from carriers’ inability to reach agreements.” To address this concern the Commission adopted a default requirement: “where carriers are not able to reach agreement, carriers must port numbers upon request, with no conditions . . . carriers need only share basic contact and technical information to perform the port.” We encourage the Commission to take a similar approach for wireline-to-wireless porting thereby ensuring “that carrier negotiations do not delay the availability of portability for consumers”.

The public interest is clearly served by maximizing customer choice and universal porting. Ensuring that wireline consumers can take their telephone number with them to wireless carriers with as few barriers as possible will give consumers competition where they need it most—facilities based competition for local telephone service.

Respectfully,

A handwritten signature in black ink, appearing to read "Chris Murray". The signature is fluid and cursive, with a long, sweeping underline.

Chris Murray
Legislative Counsel, Washington Office

CC: Commissioners Abernathy, Martin, Copps and Adelstein